

## Message Text

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ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

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DRAFTED BY EB/AN:AJRIMAS:DAP

APPROVED BY EB/AN:RABROWN

CAB - D. LITTON

ARA/EP - R. WEBER

----- 121608

R 040322Z MAR 76

FM SECSTATE WASHDC

TO AMEMBASSY LIMA

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E.O. 11652: N/A

TAGS: EAIR, PE

SUBJECT: CIVAIR: CAB PERMIT FOR AEROPERU

REF: LIMA 1498, LIMA 1530, SMITH/RIMAS TELCON 2/24

1. AFTER REVIEWING HISTORY OF RECENT CIVAIR DEVELOPMENTS IN PERU, DEPARTMENT BELIEVES THAT IT IS TO OUR MUTUAL INTEREST TO NEGOTIATE OUTSTANDING ISSUES ON BASIS OF COOPERATION AND FLEXIBILITY. HOWEVER, THE BURDEN OF CONCLUDING A WORKABLE ARRANGEMENT SHOULD BE PERCEIVED BY PERUVIANS AS RESTING EQUALLY ON BOTH PARTIES. WE ALSO UNDERSTAND THAT BRANIFF HAS COOLED SOMEWHAT IN PRESSING FOR ADDITIONAL LIMA OPERATING RIGHTS AT THIS TIME, AND AIRLINE SEES NO ADVANTAGE IN PRECIPITIOUS US ACTION.

2. RECORD OF PAST BILATERAL DISCUSSIONS CONCERNING ALL-CARGO FLIGHTS AND BLIND SECTORS INDICATES THAT US SIDE

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HAS CONSISTENTLY RAISED WITH PERUVIANS ALL ASPECTS OF THE

OUTSTANDING PROBLEMS WITH A VIEW TOWARD RESOLVING THEM IN AN OPEN AND FORTHCOMING MANNER. THE PERUVIAN RESPONSE HAS BEEN LESS THAN ACCOMMODATING; THEIR POSITION HAS DISPLAYED NEITHER THE NECESSARY FLEXIBILITY NOR WILLINGNESS TO WORK OUT A MUTUALLY SATISFACTORY SOLUTION.

3. OUR UNDERSTANDING IS THAT AEROPERU WILL NOT COMMENCE ITS NEW YORK SERVICE UNTIL SOMETIME IN THE FALL OF 1976. DESPITE THIS FACT, THE PERUVIANS HAVE BEEN EXPRESSING THEIR CONCERN WITH REGARD TO OUR DELAY IN ISSUING THE NEW AEROPERU PERMIT. OUR REPEATED EXPLANATIONS CONCERNING THE REASONS FOR THE DELAY APPARENTLY HAVE NOT BEEN FULLY APPRECIATED.

4. IN VIEW OF THE PERUVIAN COMPLAINTS CONCERNING THE PERMIT, AND TAKING INTO ACCOUNT THE ABOVE POINTS, WE REQUEST THE EMBASSY TO INFORM THE PERUVIANS INFORMALLY, THAT WE ARE PREPARED TO RESUME CONSULTATIONS AT A MUTUALLY CONVENIENT TIME. HOWEVER, EMBASSY SHOULD NOTE THAT PAST RESPONSE OF PERUVIAN AUTHORITIES DOES NOT APPEAR TO INDICATE MUCH COMMON GROUND AT THIS TIME. THE EMBASSY SHOULD ALSO TAKE NOTE OF PAST PERUVIAN COMMENTS CONCERNING THE AEROPERU PERMIT, AND INFORM THAT IF THE PERUVIANS CONFIRM THEIR CONCERNS IN WRITING, WE WILL TAKE PROMPT ACTION TO ISSUE THE PERMIT. HOWEVER, THE PERUVIANS SHOULD BE REMINDED THAT IF THE NEW PERMIT WERE TO BE ISSUED, IT WOULD NOT CONTAIN AUTHORITY TO OPERATE THE BLIND SECTOR BETWEEN MEXICO CITY AND LOS ANGELES. AEROPERU'S MEXICO CITY STOPS WOULD THEREFORE, HAVE TO CEASE PENDING A RESOLUTION OF THE MATTER THROUGH FURTHER CONSULTATIONS. KISSINGER

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